



**COMMUNITY DEVELOPMENT DEPARTMENT**

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**PLANNING COMMISSION**

**TUESDAY, SEPTEMBER 10, 2002**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**COMMISSIONERS**

CHAIR GENO ACEVEDO  
VICE-CHAIR JOSEPH MUELLER  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER ROBERT ENGLES  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH LYLE  
COMMISSIONER CHARLES D. WESTON

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** August 13, 2002

**OLD BUSINESS:**

1. **USE PERMIT, UP-01-01: CONDIT-PATEL:** A request for approval of a conditional use permit to allow for the construction of a 6,500 square foot building, arcade, restaurant and miniature golf course on 1.6 acres. The location is the W. side of Condit Rd., approximately 800 ft. S. of the E. Dunne Ave./Condit Rd. intersection. The zoning for the site is Planned Unit Development (PUD). (APN 817-12-004)

**Recommendation:** Continue request to the September 24, 2002 Commission Meeting.

**NEW BUSINESS:**

2. **SUBDIVISION, SD-02-05/DEVELOPMENT AGREEMENT, DA-02-04: SUNNYSIDE-QUAIL CREEK DEVELOPMENT:** A request for approval of a development agreement and a 12 lot subdivision for phase 1 B of the 54 unit Quail Creek project located on a 15.7 acre parcel on north east corner of the intersection of Watsonville Rd. and Sunnyside Ave. The zoning on the property is R-1 7,000 Residential Planned Development. (APN 767-29-006)

**Recommendation:** Open Public Hearing and Approve Resolution Nos. 02-67 (subdivision) and 02-68 (development agreement), with recommendation to forward to the City Council for approval.

3. **USE PERMIT, UP-02-06: E. MAIN-PUTERBAUGH:** A request for approval of a conditional use permit to allow offices for real estate firms, mortgage brokerage companies, architecture and design firms, employment agencies, title companies, insurance/insurance brokerage companies and one private educational tutorial center in an existing three building complex of 63,312 sq. ft. The subject property is located on a 4.8 acre parcel at the corner of E. Main Ave. and Butterfield Blvd. in the Light Industrial zoning district. (APN 726-22-054)

**Recommendation:** Open public hearing and Adopt Resolution No. 02-69, approving request.

4. **USE PERMIT, UP-02-02: COCHRANE-IN-N-OUT BURGER:** A request for approval of a conditional use permit to allow for the construction of a 3,253 sf drive-thru, fast food restaurant on a 1.02-acre site. The proposed use is located at the northwest quadrant of Cochrane Rd. and Hwy 101. (APN 726-33-023)

**Recommendation:** Open Public Hearing and Approve Resolution No. 02-70, denying request.

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**TENTATIVE UPCOMING AGENDA ITEM FOR THE SEPTEMBER 24, 2002 MEETING:**

- **GPA-02-02: Watsonville-City of M.H./RDA**
- **ZA-02-06: Watsonville-City of M.H./RDA**
- **SD-02-06: Central-Central Park**
- **DA-02-05: Central-Central Park**
- **ZA-02-13: City of Morgan Hill-Establishing Chapter Regarding Commercial Industrial Development Agreement**
- **General Plan Implementation Report**

**ANNOUNCEMENTS:**

- **Silicon Valley Projections 2002 Forum**

**CITY COUNCIL REPORTS**

**ADJOURNMENT**

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**SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

**NOTICE**

**AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

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***NOTICE***

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

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